

1 HONORABLE JOHN C. COUGHENOUR
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8 **UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

9 MICHAEL WELLS,

Case No. CV 7-861C

10 Plaintiff,

11 STIPULATION AND ORDER EXTENDING
12 DISCOVERY, EXPERT DISCLOSURES,
13 AND 39.1 ADR DEADLINES

v.

14 BNSF RAILWAY COMPANY, a Delaware
15 corporation;

Defendants.

16 **STIPULATION**

17 The parties, through their undersigned counsel of record, hereby stipulate as follows:

18 The expert disclosure deadline is currently set for May 16, 2008, and discovery closes
19 May 30, 2008. An on-site inspection is scheduled for May 7, 2008, and the final fact witness
20 deposition is scheduled for May 21, 2008. The parties assert that information and materials
21 developed and furnished through the inspection and final fact witness deposition is needed
before their expert witnesses can issue final opinions.

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24 Stipulation and Order
Extending Deadlines - Page 1

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In addition, the preservation for trial depositions of Plaintiff's treating physicians, Drs. Larson and VanderWilde could not be scheduled until June 12th and 19th respectively.

Based on the above, the parties respectfully request that the following deadlines be extended:

- Expert disclosures extended to May 27, 2008
 - Close of Discovery extended to June 20, 2008
 - Compliance with LR 39.1 extended to June 30, 2008

The parties do not anticipate any adjustment to the trial date or other CR 16 deadlines as a result of these extensions.

Wherefore, the parties request that the court approve the attached order extending the above deadlines.

DATED: May 5, 2008

**ROSSI, COX, VUCINOVICH
BREMSETH & FLASKAMP PC**

By: s/ James K. Vucinovich
James K. Vucinovich, WSBA #29199
Bahareh Samanian, WSBA #33165
ATTORNEYS FOR PLAINTIFF

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ATTORNEYS FOR DEFENDANT

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ORDER

Based upon the foregoing Stipulation, IT IS HEREBY ORDERED that the following deadlines are extended, to-wit:

- Expert disclosures extended to May 27, 2008
 - Close of Discovery extended to June 20, 2008
 - Compliance with LR 39.1 extended to June 30, 2008
 - The Court reminds the parties that the dispositive motions deadline has not been altered by the Court.

Dated: May 15, 2008.

BY THE COURT:

Honorable John C. Coughenour
United States District Court Judge

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 15, 2008 I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF System which will send notification of such filing to the
4 following:

5 Bradley P. Scarp
6 brad@montgomeryscarp.com
7 Montgomery, Scarp & MacDougall, PLLC
8 1218 Third Avenue, Suite 2700
9 Seattle, WA 98101

10 Dated: May 15, 2008

11 **ROSSI, COX, VUCINOVICH**
12 **BREMSETH & FLASKAMP PC**

13 By: s/James K. Vucinovich

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